IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO.425 OF 2006
IN
NOTICE OF MOTION NO.2477 OF 2005
IN
SUIT NO.2319 OF 2005

Shri.Juhu Scheme Jain Sangh & Ors. .. Appellants
V/s
Gurupreet Kamaljeet & Ors. .. Respondents

Mr.D.H.Mehta with Mr.Y.M.Chaudhari for the Appellants.

Mr.P.K.Samdhani, Sr.Advocate i/by M/s.Shiralkar & Co. for the Respondents.

CORAM: DR.S.RADHAKRISHNAN &
S.J.VAZIFDAR, JJ.

DATE : 3rd August, 2006.

P.C.:

1. After some arguments, the learned Counsel for the Appellants seeks leave to withdraw this Appeal with liberty to approach the Municipal Authorities for requisite permission for erecting the pandals, and after obtaining the said permission from the Municipal Authorities a further liberty to approach the learned Single Judge for fresh interim relief. Appeal is therefore allowed to be withdrawn and dismissed as such with the aforesaid liberties.

2. We make it clear that before granting permission to the Appellants to errect the pandals the Municipal Authorities shall hear the Respondents fully.

(DR.S.RADHAKRISHNAN, J.)

(S.J.VAZIFDAR,J.)